

Secretary of Transportation. In the event of the violation of any such rules and regulations by the owner, master, or person in charge of any vessel, such owner, master, or person in charge of such vessel shall be liable to a penalty of \$100; and the said vessel may be holden for the payment of such penalty, and may be seized and proceeded against summarily by libel for the recovery of the same in any United States district court for the district within which such vessel may be and in the name of the officer designated by the Secretary of Transportation.

(Mar. 4, 1915, ch. 142, § 7, 38 Stat. 1053; Aug. 4, 1949, ch. 393, § 1, 20, 63 Stat. 496, 561; Pub. L. 89-670, § 6(b)(1), Oct. 15, 1966, 80 Stat. 938; Pub. L. 97-449, § 2(d)(1), Jan. 12, 1983, 96 Stat. 2440.)

#### CODIFICATION

Section was from the Rivers and Harbors Appropriation Act of 1915.

#### PRIOR PROVISIONS

Section probably supersedes acts May 16, 1888, ch. 257, §§ 1, 2, 25 Stat. 151, relative to anchorage grounds in port of New York, Mar. 3, 1899, ch. 424, § 1, 30 Stat. 1074, extending anchorage regulations for port of New York, Feb. 6, 1893, ch. 64, §§ 1, 2, 27 Stat. 431, relative to anchorage grounds in port of Chicago, and June 6, 1900, ch. 819, §§ 1, 2, 31 Stat. 682, relative to anchorage grounds in Kennebec River.

#### AMENDMENTS

1983—Pub. L. 97-449 substituted “Secretary of Transportation” for “Secretary of War” wherever appearing. See Transfer of Functions note below.

#### TRANSFER OF FUNCTIONS

“Coast Guard” and “Coast Guard vessel” substituted in text for “Revenue Cutter Service” and “revenue cutter”, respectively, the Revenue Cutter Service and Life-Saving Service having been combined to form the Coast Guard by act Jan. 28, 1915, ch. 20, § 1, 38 Stat. 800. That act was repealed by act Aug. 4, 1949, ch. 393, § 20, 63 Stat. 561, section 1 of which reestablished the Coast Guard by enacting Title 14, Coast Guard.

“Secretary of Transportation” substituted for “Secretary of the Treasury” in provision covering enforcement of rules and regulations by Coast Guard pursuant to section 6(b)(1) of Pub. L. 89-670, which transferred to Secretary of Transportation functions, powers, and duties of Secretary of the Treasury and of other offices and officers of Department of the Treasury relating to Coast Guard. Section 6(b)(2) of Pub. L. 89-670, however, provided that notwithstanding such transfer of functions, the Coast Guard shall operate as part of the Navy in time of war or when President directs as provided in section 3 of Title 14, Coast Guard. See section 108 of Title 49, Transportation.

Section 6(g)(1)(A) of Pub. L. 89-670, transferred functions, powers, and duties of Secretary of the Army [formerly War] and other officers and offices of Department of the Army [formerly War] relating generally to water vessel anchorages under this section to Secretary of Transportation. Pub. L. 97-449 amended this section to reflect the transfer made by section 6(g)(1)(A) of Pub. L. 89-670, and repealed section 6(g)(1)(A).

#### FEDERAL RULES OF CIVIL PROCEDURE

Admiralty and maritime rules of practice (which included libel procedures) were superseded, and civil and admiralty procedures in United States district courts were unified, effective July 1, 1966, see rule 1 and Supplemental Rules for Certain Admiralty and Maritime Claims, Title 28, Appendix, Judiciary and Judicial Procedure.

#### CROSS REFERENCES

Control by Coast Guard of anchorage and movement of vessels in territorial waters for safety of naval vessels, see section 91 of Title 14, Coast Guard.

Regulations for Saint Marys River by Secretary of Commerce, see section 474 of this title.

Special anchorage areas under navigation rules, inland waters generally, see section 2030 of this title.

#### § 472. Marking anchorage grounds by Commandant of the Coast Guard

The Commandant of the Coast Guard shall provide, establish, and maintain, out of the annual appropriations for the Coast Guard, buoys or other suitable marks for marking anchorage grounds for vessels in waters of the United States, when such anchorage grounds have been defined and established by proper authority in accordance with the laws of the United States.

(Sept. 15, 1922, ch. 313, 42 Stat. 844; 1939 Reorg. Plan No. II, § 2(a), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1432.)

#### TRANSFER OF FUNCTIONS

“Commandant of the Coast Guard” and “Coast Guard” substituted in text for “Commissioner of Lighthouses” and “Lighthouse Service”, respectively, on authority of Reorg. Plan No. II of 1939, § 2(a), set out in the Appendix to Title 5, Government Organization and Employees, which transferred and consolidated the Bureau of Lighthouses (of which the Lighthouse Service was a part and of which the Commissioner of Lighthouses was the head) and its functions with the Coast Guard (of which the Commandant was the Chief).

For transfer of functions of other officers, employees, and agencies of Department of the Treasury, with certain exceptions, to Secretary of the Treasury with power to delegate, see Reorg. Plan No. 26 of 1950, §§ 1, 2, eff. July 31, 1950, 15 F.R. 4935, 64 Stat. 1280, 1281, set out in the Appendix to Title 5, Government Organization and Employees. Functions of Coast Guard, and Commandant of Coast Guard, excepted from transfer when Coast Guard is operating as part of Navy under sections 1 and 3 of Title 14, Coast Guard.

Coast Guard transferred to Department of Transportation, and functions, powers, and duties relating to Coast Guard of Secretary of the Treasury and of other officers and offices of Department of the Treasury transferred to Secretary of Transportation by Pub. L. 89-670, § 6(b)(1), Oct. 15, 1966, 80 Stat. 938. Section 6(b)(2) of Pub. L. 89-670, however, provided that notwithstanding such transfer of functions, Coast Guard shall operate as part of the Navy in time of war or when President directs as provided in section 3 of Title 14, Coast Guard. See section 108 of Title 49, Transportation.

#### § 473. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 637

Section, act Mar. 2, 1895, ch. 172, § 2, 28 Stat. 740, provided that the powers and authority conferred upon the harbor master, District of Columbia, may in his absence or disability by exercised by the pilot of the harbor police boat. See section 22-1701 of the District of Columbia Code.

#### § 474. Anchorage and general regulations for St. Marys River

The Commandant of the Coast Guard is authorized and directed to adopt and prescribe suitable rules and regulations governing the movements and anchorage of vessels and rafts in Saint Marys River from Point Iroquois, on Lake Superior, to Point Detour, on Lake Huron, and for the purpose of enforcing the observance of